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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/458,689	12/10/1999	RYO FUJIMOTO	35.G2512	9176

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FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

PANNALA, SATHYANARAYA R

ART UNIT	PAPER NUMBER
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2177

DATE MAILED: 08/12/2003

13

Please find below and/or attached an Office communication concerning this application or proceeding.

3

Office Action Summary

Application No.

09/458,689

Applicant(s)

FUJIMOTO ET AL.

Examiner

Sathyanarayan Pannala

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-56 is/are pending in the application.
- 4a) Of the above claim(s) 4,13,21,30,38 and 47 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-12,14-20,22-29,31-37,39-46 and 48-56 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/26/2003 (paper# 11) and Amendment After Final filed on 6/5/2003 (paper# 7) have been entered.

2. As per the amendment filed on 6/5/2003 by the applicant, claims 4, 13, 21, 30, 38, 47 are cancelled and claims 1, 3, 67, 9-10, 12, 15-18, 20, 23, 24, 26-27, 29, 32-35, 36, 39-41, 43-44, 46, 49-51 are amended. Hence, claims 1-3, 5-12, 14-20, 22-29, 31-37, 39-46 and 48-56 are pending as per this Office Action.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

"A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention

was made to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negated by the manner in which the invention was made.”

4. Claims 1-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tamano et al. (US Patent 6,032,157) and in view of Li et al. (US Patent 6,175,829).

5. Tamano rendered independent claims 1, 18, 35 by the following:

“memory means for storing the relevant information input said input means in association with each of the plurality of the objects in the single image, respectively” at Fig. 2, col. 5, lines 11-16.

Tamano do teach analogous to inputting relevant information for an image object at Fig.7-8, col. 6, lines 18-56. However, Li teaches the following limitation:

“input means for inputting relevant information concerning a plurality of objects in single image, the relevant information including an appearance quality of each of the plurality of objects in the single image and a word describing an appearance relationship between two or more objects in the single image” at Fig. 1 & 3, col. 4, line 64 to col. 5, line 11. Thus, it would have been obvious to one ordinarily skilled in the art at the time of the invention to incorporate inputting relevant information to view image objects. Tamaro and Li are combined to relate querying database with relevant information to view image objects. In order to view the required image, relevant information is needed to query the multimedia database to display required image objects.

6. As per dependent claims 2, 19, 36, Tamano teaches “the relevant information includes at least one of a general name of an object, a qualifier therefor, a proper in thereof, and a position thereof” at Fig. 3, col. 5, lines 32-53.

7. As per dependent claims 3, 20, 37, Tamano teaches “the relevant information includes information expressing a state of an object in the single image” at Fig. 3, col. 5, lines 21-29.
8. As per dependent claims 5, 22, 39, Tamano teaches “wherein a plurality of words can be specified as the qualifier” at Fig. 3, col. 5, lines 21-29.
9. As per dependent claims 6, 23, 40, Tamano teaches “wherein said input means includes position designating means designating a position of an object in the single image, and display means for displaying an input window used to input relevant information concerning the object at the designated position” at Fig. 1, col. 3, lines 22-27.
10. As per dependent claims 7, 24, 41, Tamano teaches “wherein the position designating means designates positions of two mutually-related objects in the single image” at Fig. 8, col. 6, lines 32-42.
11. As per dependent claims 8, 25, 42, Li teaches “further comprising retrieval requirement input means for inputting requirements for retrieval, and image retrieving means for retrieving images that meet the requirements for retrieval inputted by said retrieval requirement input means” at Fig. 1 & 3, col. 4, line 64 to col. 5, line 11.
12. As per dependent claims 9, 26, 43, Tamano teaches “wherein said input means inputs supplementary information including at least one of imaging-related information of the single image, special object information thereof, category formation thereof, impression information thereof, time information thereof, place information thereof, weather information thereof, and event information thereof” at Fig. 7, col. 6, lines 18-31.

13. Tamano rendered independent claims 10, 27, 44 by the following:

“memory means for storing identification information concerning a plurality of objects contained in an image in association with relevant information concerning the plurality of objects, the relevant information including an appearance quality of each of the one or more objects contained in the single image and a word describing an appearance relationship between two or more objects in the single image” at Fig. 2, col. 5, lines 11-16;

“retrieval requirement input means for inputting requirements for retrieval” at Fig. 7-10, col. 6, lines 9-17;

Tamano does not teach explicitly inputting relevant information for an image object. However, Li teaches the following limitation:

“retrieving means for retrieving an image that meets the requirements for retrieval inputted by said retrieval requirement input means based on the relevant information stored in said memory means” at Fig. 1 & 3, col. 4, line 64 to col. 5, line 11. Thus, it would have been obvious to one ordinarily skilled in the art at the time of the invention to incorporate inputting relevant information to view image objects. Tamano and Li are combined to relate querying database with relevant information to view image objects. In order to view the required image, relevant information is needed to query the multimedia database to display required image objects.

14. As per dependent claims 11, 28, 45, Tamano teaches “wherein the relevant information includes at least one a general name of an object, a qualifier therefor, a proper noun thereof, and a position thereof” at Fig. 3, col. 5, lines 32-53.

15. As per dependent claims 12, 29, 46, Tamano teaches “wherein the relevant information includes information pressing a state of an object in the single image” at Fig. 3, col. 5, lines 21-29.

16. As per dependent claims 14, 31, 48, Tamano teaches “the qualifier is compromise of a plurality of words can be specified as the qualifier” at Fig. 3, col. 5, lines 21-29.

17. As per dependent claim 15, 32, 49, Tamano teaches “further comprising a position designating means for designating a position of an object of interest in the single image, and display means for displaying an input window used to input the relevant information concerning the object at the designated position” at Fig. 7-10, col. 6, lines 9-17.

18. As per dependent claim 16, 33, 50, Tamano teaches “wherein said position designating means designates positions of two mutually-related objects in the single image” at Fig. 6, col. 6, lines 1-8.

19. As per dependent claim 17, 34, 51, Tamano teaches “wherein said input means inputs supplementary information including at least one of imaging-related information of the single image, special object information thereof, category information thereof, impression information thereof, time information thereof, place information thereof, weather information thereof, and event information thereof” at Fig. 7, col. 6, lines 18-31.

20. As per dependent claim 52-57, Li teaches "the relevant information is textual information" at Fig. 3, col. 7, lines 21-48.

Response to Arguments

21. Applicant's arguments filed 6/9/2003 have been fully considered but they are not persuasive as described below:

First, the applicant states as "Tamano et al., as understood by Applicants, relates to a retrieval system in which two different images are linked."

In response to the applicant's argument, Tamano teaches linkage information between images. (see Tamano at Fig. 3, col. 5, lines 21-31).

Second, the applicant states that the combination of Tamano et al. and Li et al. fail to teach or suggest an image managing apparatus for managing retrievable images.

In response to the applicant's argument, Tamano teaches to obtain images with information. This reference also teaches the user to specify locations of images on the display. (see Tamano at Fig.4, 10-12, col. 6, line 1 to col. 9, line 11). Li teaches retrieval of images and facilitates reformulation of queries more closer to the requirement and feed back information including maximum and minimum matches, alternatives for both semantic and visual

based query elements and estimated number of matching images (see Li at col. 3, lines 63-67).

Conclusion

22. The prior art made of record, listed on form PTO-892, and not relied upon, if any, is considered pertinent to applicant's disclosure.

23. If a reference indicated, as being mailed on PTO-FORM 892 has not been enclosed in this action, please contact Lisa Craney whose telephone number is (703) 305-9601 for faster service.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sathyanarayan Pannala whose telephone number is (703) 305-3390. The examiner can normally be reached on 8:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (703) 305-9790. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.


Sathyanarayan Pannala
Examiner
Art Unit 2177

srp
August 11, 2003


GRETA ROBINSON
PRIMARY EXAMINER